

Municipal Corporation Gurgaon

Sterilization and Vaccination Programme



Mr. Ambika Singh
D.O. F. No. 16/11/2009
Commissioner
Municipal Corporation
Gurgaon.
Dated 12.11.2009

TO WHOM IT MAY CONCERN

It is hereby brought to your attention that MCG is conducting a WHO recommended sterilization and vaccination programme to curb the number of street dogs as well as to eliminate rabies in Gurgaon.

The success of the programme depends on dogs being collected area-wise, treated and returned to their original areas to live out their lives healthily and harmlessly. It is illegal for any RWA, Building Society or any individual to themselves or through security staff like guards and chowkidars to seek to remove or to relocate any dogs from any area. Any complaints may instead be directed to the MCG or to a local animal welfare organization. Sterilised dogs must be allowed to remain in their original areas.

There is no law prohibiting the feeding of street dogs. Being sterilized, this does not cause the population to increase and instead keeps the existing dogs healthy and friendly. The recent Delhi High Court order in directing the police to protect those who feed dogs against abusive neighbors also made it clear that feeding dogs is a legal activity whereas obstructing it is not. The Government of India, Ministry of Personnel, Public Grievances and Pensions vide its letter F. No 30/9/2006 dated 26-5-2006 has specified that 'all problems of stray animals have to be handled within the institutional framework available and no association, recognized or unrecognized, shall take recourse to action on their own, either themselves or through any person employed by them like security guards etc. While residents and Associations are free to address institutional agencies for redressal of grievances in this matter, no resident/association will interfere with the freedom of other residents in tending to animals etc. Intimidation, in any form, is a criminal offence.'

All citizens are requested in co-operate to maintaining a clean, green healthy and compassionate Gurgaon.

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Commissioner
Municipal Corporation
Gurgaon

Municipal Corporation Gurgaon

Anti Rabbies Programme



D.O.
Commissioner
Municipal Corporation
Gurgaon.
Dated

TO WHOM IT MAY CONCERN

The Municipal Corporation of Gurgaon has tied up with People For Animals (PFA) to carry out a Rabies and stray dogs population control programme wherein street dogs are being collected area-wise for sterilization and vaccination.

After being treated the dogs are returned to their original area to live out their lives healthily and harmlessly. This programme is endorsed by WHO as the only long term method to reduce the street dog population, and to eliminate rabies. It has been officially adopted by the Government of India and the programme is being successfully conducted in Delhi, Chennai, Bangalore, Hyderabad, Jaipur, Guwahati, Goa, Mumbai, Kolkata and many other Indian metros.

MCG's ABC drive has been launched from 10th September 2009. The success of the programme depends upon the co-operation of Gurgaon citizens. MCG appeals to all citizens to support the programme as follows:-

1. Sign the ambulance register upon request when you witness dogs being either collected or released. Provide your phone number so that the same may be verified.
2. Please do not obstruct either the collection or the release of dogs in your area.
3. Help the ABC team wherever possible to find and take the dogs as well as to replace them in their original areas.
4. Do not seek to remove dogs that have been sterilized from any area.
5. You are encouraged to visit the PFA shelter in Village Sadrana. You are also welcome to call regarding any enquiries about dogs collected from or returned to your area. Tel: 9818838628, 22776502.
6. Once the dogs are replaced in your area, citizens may feed and care for them as per their choice.
7. Please remember that cruelty to animals is illegal under the Prevention of Cruelty to Animals Act 1960 so hitting or hurting any animal makes you liable for prosecution under the law.


Commissioner
Municipal Corporation
Gurgaon

Municipal Corporation Gurgaon

Gurgaon Municipal Commissioner letter to RWAs, 12.2.2012

FROM : MCG

FAX NO. : 2225243

9 Feb. 2012 11:20AM P1

From

Commissioner
Municipal Corporation,
Gurgaon

To

Presidents, RWA,

.....
Gurgaon

No. J.C(HQ)/MCG/2012/ 485

Dated 2/2/12

Sub:- **Regarding curbing cruelty against Animals.**

Some incidents of cruelty against animals by RWAs, their office bearers and residents has been reported to this office. It has also come to the notice that certain RWAs have attempted to prevent or obstruct pet ownership through stipulations in terms of their rental/ownership agreements and have even threatened pet owners with electricity/water cut offs.

All RWAs are requested to take note the following issues & to abide by the legal provision mentioned therein:-

1. Kindly note that the laws on pet ownership are very clear. The Constitution of India's Directive Principles clearly state through their various sections that private groups, government bodies and any organization may not infringe upon a person's fundamental right. Under the law, pets constitute 'family' and keeping a pet is a fundamental right of every Indian national. Hence, for an association or committee to impose restrictions on this right is against the law. A mention of any such clause in any agreement by a Managing Committee of a Society is not sufficient to make it a law. It may also be noted that any law or rule formed by anybody, if conflicts with the law of the urban local body, state body or central body, is automatically superseded and rendered null and void. So any society bye-law, even if it mentions such a clause in the agreement, if found conflicting with the law of the land, holds no

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9 Feb. 2012 11:20AM

FROM : MCG

legal value and is automatically invalid. Nor is it legal for any RWA to threaten the discontinuation of basic facilities. Any RWA that is found taking the law into its own hands by making such threats can lead to the dissolution of that RWA and prosecution of its office bearers.

2. Various RWAs have been attempting to remove animals in their area on their own or through security guards employed by them. Further that they have taken recourse to intimidating residents who may be feeding/tending to these animals. Kindly note the laws in this regard:
 - i) Under the central law as laid out in Stray Dog Management Rules 2001, it is illegal for any individual, RWA or estate management to remove or relocate dogs. Complaints, if any, may be directed to the municipality or to a local animal welfare organization. The dogs will be sterilized and vaccinated and returned to the same area. In the case of vaccinated and sterilized dogs, they cannot ever be removed by the Municipality.
 - ii) Several Courts have held that it is both lawful and helpful for local residents to feed colony dogs as it facilitates the municipal sterilization programme. Feeding dogs has been held to be a 'social service' and the police and RWAs have been directed to protect those engaged in this social service.
 - iii) It is cognizable under Sections 428/429 IPC to hit, hurt, injure or kill any animal as well as under the Prevention of Cruelty to Animals Act, 1960.
 - iv) Under Section 506 IPC, it is a criminal offence to threaten, abuse, harass neighbors who feed homeless animals.
 - v) In its letter F.No 30/9/2006, the Ministry of Personnel, Public Grievances and Pensions has warned that no association recognized or unrecognized may take action on its own or through any persons employed by it like security guards against animals in violation of

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FROM : MCG

FAX NO. : 2225243

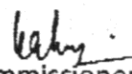
9 Feb. 2012 11:21AM P3

these laws:

- a) Article 51 (a), Constitution of India
 - b) Indian Penal Code, Sections 428/429
 - c) Prevention of Cruelty to Animals Act 1960
3. Directives of the Animal Welfare Board of India, a statutory body under the central government.
 4. Any attempt to remove dogs will be in contempt of judicial rulings in several cases, including the Hon'ble Supreme Court of India (Animal Welfare Board of India Vs People for the Elimination of Stray Dogs, Record of Proceedings 265025).

Apart from being illegal, removal of colony dogs is also counter-productive. Dogs being territorial guard the area against the incursion of other dogs and animals. Should the dogs that are familiar with the area be removed, others who are new to the area will move in and the chances of accidents will increase. Sterilizing the existing population keeps the numbers in check and the area safe from intruders both human and animal alike. It is therefore in the colony's best interests to care for its existing dogs so that they may live out their natural lives, healthily and harmlessly. Any action contrary to the above is punishable under the law.

It is, therefore, requested that all RWAs may kindly ensure that the provisions of Prevention of Cruelty to Animals Act 1960 may not be violated and cooperate in vaccination and sterilization programme launched by MCG.


For Commissioner, 02/04/12
Municipal Corporation,
Gurgaon